

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**U.S. BANK NATIONAL ASSOCIATION, §
AS TRUSTEE FOR LEHMAN §
BROTHERS SMALL BALANCE §
COMMERCIAL MORTGAGE-PASS §
THROUGH CERTIFICATES, SERIES §
2005-1, §**

Plaintiff,

v.

**PELLETIER TEX, LLC, and QI §
INVESTMENTS, LLC, §**

Defendants. §

Civil Action No. 3:20-cv-3591

PLAINTIFF’S NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

U.S. Bank National Association, as Trustee for Lehman Brothers Small Balance Commercial Mortgage-Pass Through Certificates, Series 2005-1 (“Plaintiff”), files this its *Notice of Voluntary Dismissal Without Prejudice* pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i) and respectfully shows the Court as follows:

I.

Plaintiff files this its Notice of Voluntary Dismissal (“Notice”) pursuant to Rule 41 (a)(1)(A)(i) of the Federal Rules of Civil Procedure. Plaintiff files this Notice before any of the defendants have filed an answer or motion for summary judgment. As such, Plaintiff voluntarily dismisses the claims it has asserted herein against defendants without prejudice to the re-filing of same.

WHEREFORE, PREMISES CONSIDERED, Plaintiff requests that Plaintiff's claims against defendants be dismissed without prejudice, that no prejudice attach to such dismissal, and that Plaintiff be awarded all other relief to which Plaintiff may be entitled.

Respectfully submitted,

By: /s/ Mark Cronenwett

MARK D. CRONENWETT

Texas Bar No. 00787303

mcronenwett@mwzmlaw.com

MACKIE WOLF ZIENTZ & MANN, P.C.

14160 North Dallas Parkway, Suite 900

Dallas, Texas 75254

Telephone: 214-635-2650

Facsimile: 214-635-2686

ATTORNEYS FOR PLAINTIFF